

**Acknowledgment and
Notice of Acknowledgment
of Acceptance of R.S. 2477
Right-of-Way Grant**

Ent: 309602 - Pg 1 of 13
Date: 6/23/2008 12:52 PM
Fee: \$0.00 NO CHARGE
Filed By: RGL
CALLEEN B PESHELL, Recorder
Tooele County Corporation
For: STATE OF UT GOVERNORS OFF

THE STATE OF UTAH

TO ALL WHOM THESE PRESENTS SHALL COME, Greeting:

Know ye, This is an Acknowledgment and Notice of Acknowledgment made under Utah Code Sections 72-5-309 through 310 inclusive, that the grant of the United States of America of "the right of way for the construction of highways over public lands, not reserved for public uses" under United States Revised Statutes 2477 (43 U.S.C. Section 932 (repealed October 21, 1976, with proviso recognizing the validity of rights-of-way already established)) was accepted for and on behalf of the State of Utah and its political subdivision Tooele County as it pertains to the highway located in Tooele County known as Foothill Road 1600 E; County Road Number: tc03711; State Geographic Information Database (SGID) Road Identification Number: RD230115. Total road length is 0.61 miles more or less.

The reason for this Acknowledgment and Notice of Acknowledgment includes, but is not limited to, the fact that the road was constructed, mechanically, or by continuous use as a public highway for a period of at least ten years, over public lands not reserved for public uses, prior to the earlier of (a) the October 21, 1976 repeal of R.S. 2477 or (b) the date the servient estate was reserved for public uses.

This Acknowledgment and Notice of Acknowledgment applies only to the segments of the road that traverse land owned by the Bureau of Land Management, United States Department of the Interior, and does not apply to segments of the road that traverse land owned by any other person or entity. The State of Utah and its political subdivisions reserve the right to make further acknowledgments and notices of acknowledgment with regard to road segments that traverse land owned by other entities, including the United States of America, through one or more of its agencies.

A printed copy of a map showing the location of the road in said county is appended hereto as "Attachment 1," a printed copy of representative photos of the road is appended hereto as "Attachment 2," a printed copy of a description of the beginning and ending points of the entire road together with a list of Townships, Ranges and Sections that may be traversed by the road in said county is appended hereto as "Attachment 3," and a printed copy of the Road Centerline Description Cover Page(s) is appended hereto as "Attachment 4." The Appendices listed in "Attachment 4" that contain the actual road centerline descriptions are incorporated herein by reference. Affidavits provided by individuals familiar with the road are appended hereto as "Attachment 5."

A printed copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or obtained at the office of the Utah State Archives.

An electronic copy of this Acknowledgment and Notice of Acknowledgment, together with its Attachments and Appendices, may be viewed and/or downloaded as read-only PDF (Portable Document Format) files via the

Internet at <http://recorded2477roads.utah.gov>.

The owner of the servient estate in the land underlying the road-segments subject to this Acknowledgment and Notice is believed to be the United States of America through one or more of its agencies. Any of such agencies or any other person with a servient ownership claim or a competing dominant estate right-of-way ownership claim, may file a petition in the State District Court for Salt Lake County for a decision regarding the correctness of this Acknowledgment. A claimant shall file a petition within sixty (60) days after receipt of this Notice.

In Witness Whereof, I, John Harja, the official designee of the Governor of the State of Utah, in conformity to the laws of the State (Utah Code Sections 72-5-308 through 310 inclusive), have caused this Acknowledgment and Notice of Acknowledgment to be made.

Signed by my hand in Salt Lake City, Utah, the 20th day of June, 2008.

By the Governor's Designee


John Harja

CERTIFICATION

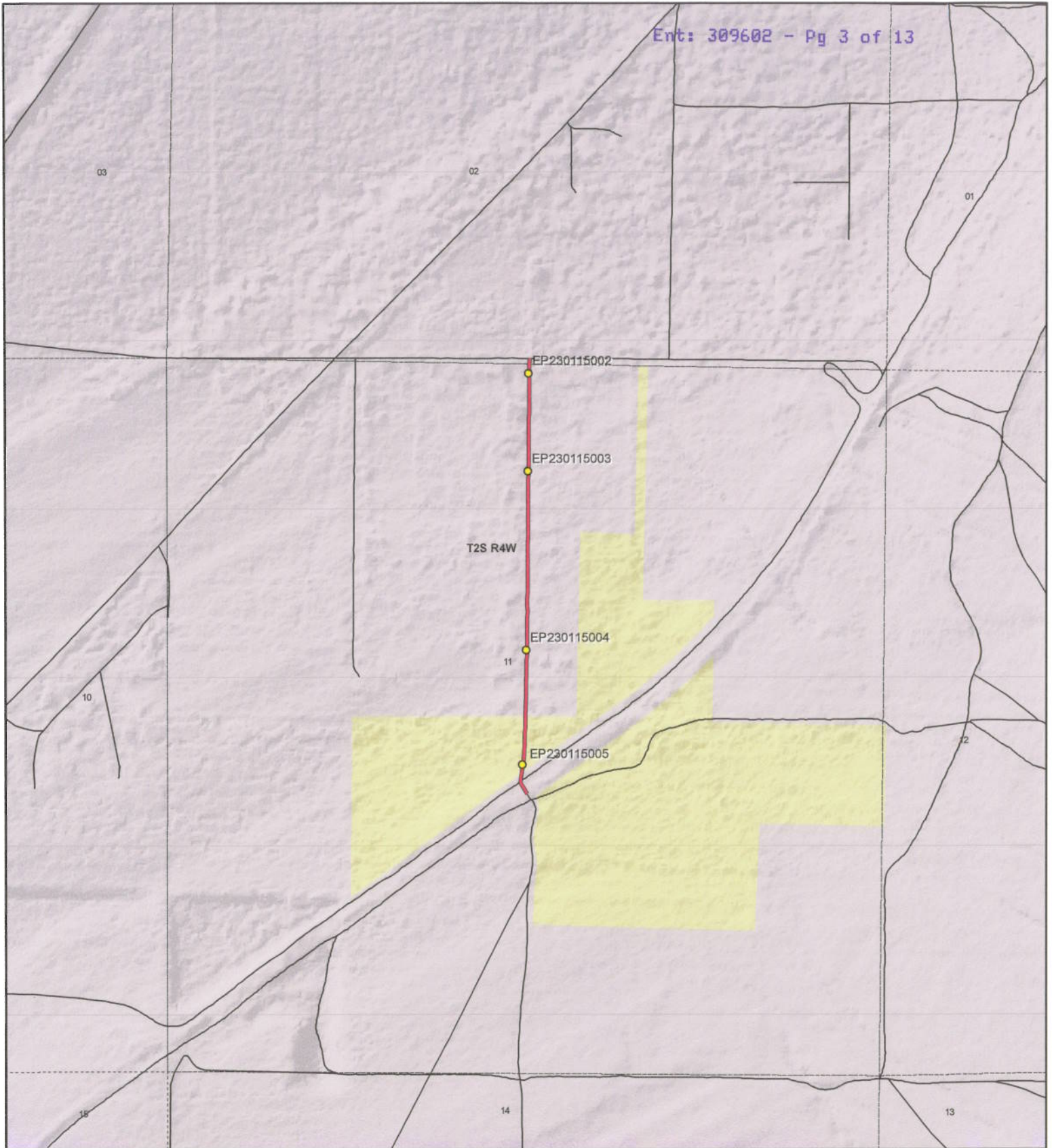
State of Utah)
 : ss
County of Salt Lake)

I hereby certify that the signer of the foregoing document, John Harja, is personally known by me, has made a voluntary signature and taken an oath stating that he is the official designee of the Governor of the State of Utah and is authorized to sign this document on the Governor's behalf pursuant to Utah Code Section 72-5-309. He further vouched that, based upon information and belief, the facts alleged therein are true.

Dated this 20th day of June, 2008.




Notary Public



Foothill Road 1600 E - Tooele County
SGID RD_ID RD230115

Land Ownership Categories

- | | |
|------------------------------|--------------------------------|
| ◆ BLM | ◆ Wilderness |
| ◆ Private | ◆ UDWR Wildlife Reserve |
| ◆ SITLA, State Trust Land | ◆ DOD, Military |
| ◆ USFS, National Forest | ◆ State Sovereign Land |
| ◆ State Parks and Recreation | ◆ National Recreation Area |
| ◆ Tribal, Indian Reservation | ◆ USFWS, Natl. Wildlife Refuge |
| ◆ NPS, National Park | |

Transportation Network

- | |
|---|
| — Foothill Road 1600 E |
| — Title V: Issued Or Under Consideration By BLM Or County |
| — Other Roads |
| ● Photo Event Point |
| ○ Section = 1 Mile |



1:11,542

1 inch equals 0.2 miles



Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 Jun 17, 2008



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EP230115002



EP230115003



EP230115004



EP230115005

EP000000000

EP000000000

Foothill Road 1600 E - Tooele County
SGID RD_ID RD230115

Map prepared by the State of Utah
 Automated Geographic Reference Center
 Room 5130 State Office Building
 Salt Lake City, Utah 84114
 June 18, 2008



Attachment 3

Beginning & Ending Points and Township, Range, and Section References For:

Popular Name: Foothill Road 1600 E

County: Tooele

County Road Number: tc03711

State Geographic Information Database (SGID) Road Identification Number: RD230115.

Total Road Length: 0.61 miles more or less.

Beginning at a point on the road centerline located at 40 degrees 39 minutes 30.22 seconds North Latitude and -112 degrees 16 minutes 00.29 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,427,682.1 feet and Y = 7,409,478.8 feet based on the US Survey Foot conversion.

Ending at a point on the road centerline located at 40 degrees 40 minutes 02.03 seconds North Latitude and -112 degrees 16 minutes 00.59 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,427,686.6 feet and Y = 7,412,698.3 feet based on the US Survey Foot conversion.

This road may traverse:

Township 2 South Range 4 West, Section(s) 2,11, Salt Lake Base & Meridian
See Attachment 1 above for a cartographic depiction of the course of this road.

Attachment 4

Road Centerline Description Cover Page(s)

Popular Name: Foothill Road 1600 E

County: Tooele

County Road Number: tc03711

State Geographic Information Database (SGID) Road Identification Number: RD230115.

Total Road Length: 0.61 miles more or less.

Centerline Descriptions Of Road-Segments That Cross Over Federally Owned Land, Derived From Global Positioning System Data And Cross-checked against USGS Digital Orthophoto Quadrangles Compiled By The Utah Automated Geographic Reference Center And Entered Into The State Geographic Information Database (SGID).

Road-Segments Listed by SGID Road Identification Number (RD_ID)	Road-Segment Numbers	Believed Ownership Of Servient Estate	Approximate Segment Length	See Attached Appendix
RD230115	001	PVT	0.03 Miles	(not shown)
RD230115	002	BLM	0.08 Miles	A
RD230115	003	PVT	0.5 Miles	(not shown)
		Total Road Length	0.61	_____

* Indicates that a Title V permit will be requested, is in process, or has been issued.

† Indicates that road-segments crossing Forest Service land are under consideration by the state and county as of the date of this Acknowledgment and Notice of Acknowledgment.

Attachment 5

AFFIDAVIT OF J. BRUCE CLEGG

FOOTHILL ROAD 1600 EAST

TOOELE COUNTY, UTAH

ROAD NUMBER 03711

State of Utah) .
 : ss.
County of Tooele)

J. BRUCE CLEGG, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I currently reside in Erda, Tooele County, Utah. I have lived in Tooele County for 60 years.

2. I have traveled and am familiar with a road in Tooele County known as Foothill Road 1600 East. I am also familiar with the land the road traverses. When I first used and observed the road in the late 1950s it followed the same route as in 2007. Attached is a Tooele County map showing Foothill Road 1600 East. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map.

3. The County also identifies this road according to the road number listed above.

4. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as the late 1950s and continuing through 2007. Throughout this time period I observed travel on the road by means of cars, pickup trucks and ATVs. During this time period, the road was used daily, weather permitting, for more than ten continuous years prior to 1976 and was so used in 2007.

5. Throughout the time period from the late 1950s to 2007, I have used the road myself for livestock operations, hunting and travel in an through the area from Erda to Lake Point.

6. Throughout the time period described in the previous paragraph, I have observed other vehicles from the general public using the road at various times for the uses described in the previous paragraph plus, livestock operations, trapping, sightseeing and recreation.

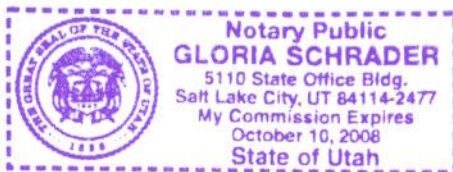
7. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

8. Prior to 1976, I observed the graded surface of the road and evidence of maintenance and construction such as berms along the side of the road.

DATED this 27 day of August, 2007.


J. BRUCE CLEGG

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.



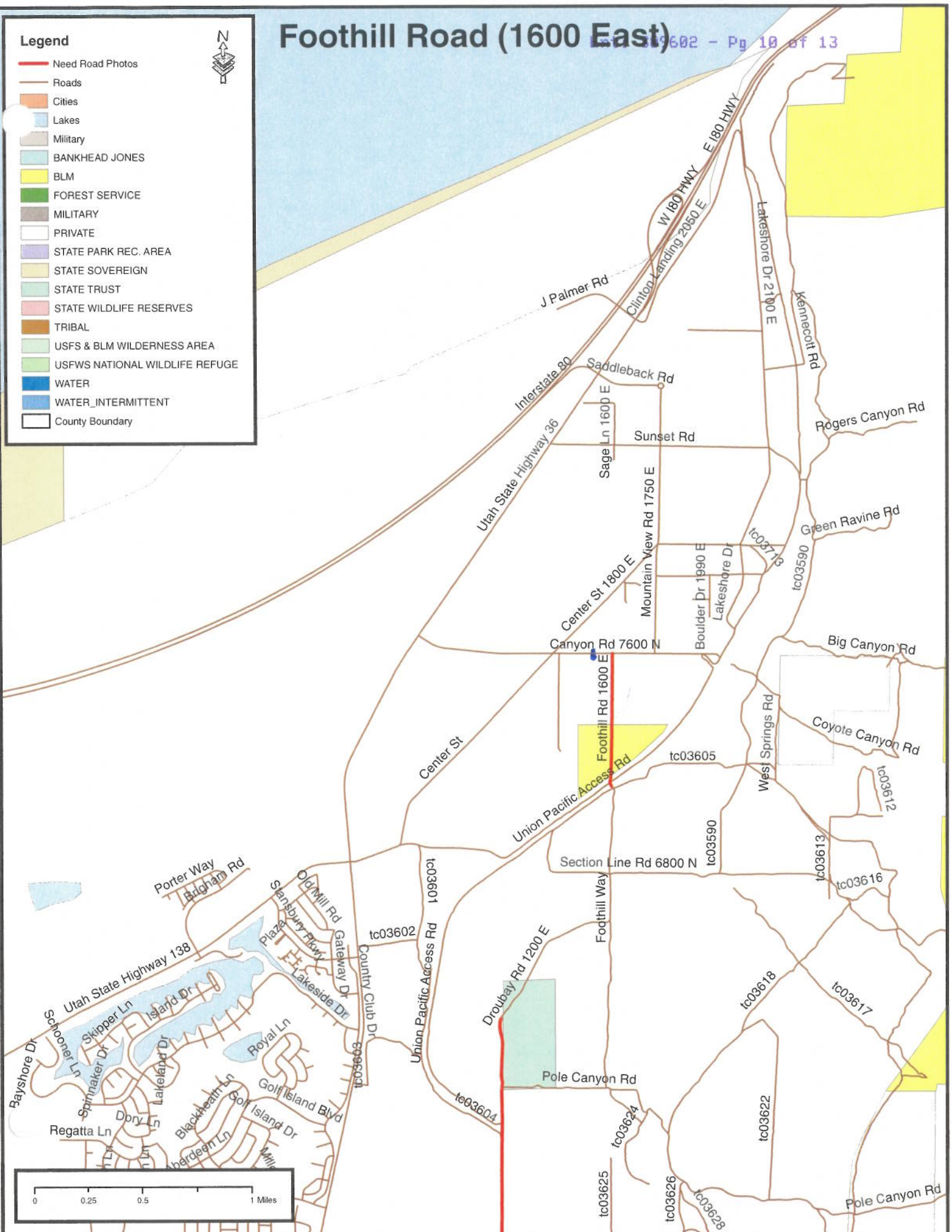

NOTARY PUBLIC

Foothill Road (1600 East)

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Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER_INTERMITTENT
- County Boundary



AFFIDAVIT OF JOHN ROBERT DROUBAY

FOOTHILL ROAD 1600 EAST

COUNTY ROAD NUMBER 03711

TOOELE COUNTY, UTAH

State of Utah)
 : ss.
County of Tooele)

JOHN ROBERT DROUBAY, being first duly sworn, deposes and states as follows:

1. I am an adult competent to testify about the matters set forth below based upon my personal knowledge. I have lived in Tooele County for 77 years.
2. I have traveled and am familiar with a road in Tooele County known as Foothill Road 1600 East. I am also familiar with the land the road traverses. When I first used and observed the road in 1936 it followed the same route as in 2007 when I last observed it. Attached is a Tooele County map showing Foothill Road 1600 East. To the best of my knowledge and based upon my use of and familiarity with this road and the land it traverses, the location and route of the road are correctly illustrated on the attached map. The County also identifies this road according to the road number listed above.
3. I have observed that the road has been open to the public for all to use, to come and go as they pleased, since at least as early as 1936 and continuing through 1976 to 2007. Throughout this time period I have observed travel on the road by various means, including cars, maintenance vehicles, ATVs, trucks and jeeps. Throughout this

time period, the road has been used daily, for more than ten continuous years prior to 1976, and was so used in 2007.

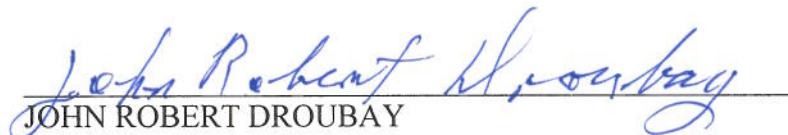
4. Throughout the time period from 1936 to 2007, I have used the road myself for farming, livestock operations and traveling in and through the area.

5. Throughout the time period described in the previous paragraph, I observed vehicles using the road at various times for the uses described in the previous paragraph, plus camping, farming, wood gathering, and hunting.

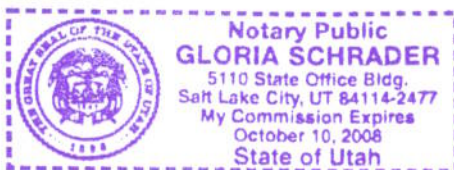
6. It is also the reputation in the community that this road has been open to the public for all to use, to come and go as they pleased, since at least as early as the early 1900s and continuing through 1976 to the present, for the uses described in the previous paragraphs.

7. Prior to 1976, I observed the graded surface of the road.

Dated this 27 day of August, 2007.


JOHN ROBERT DROUBAY

SUBSCRIBED AND SWORN to before me this 27th day of August, 2007.



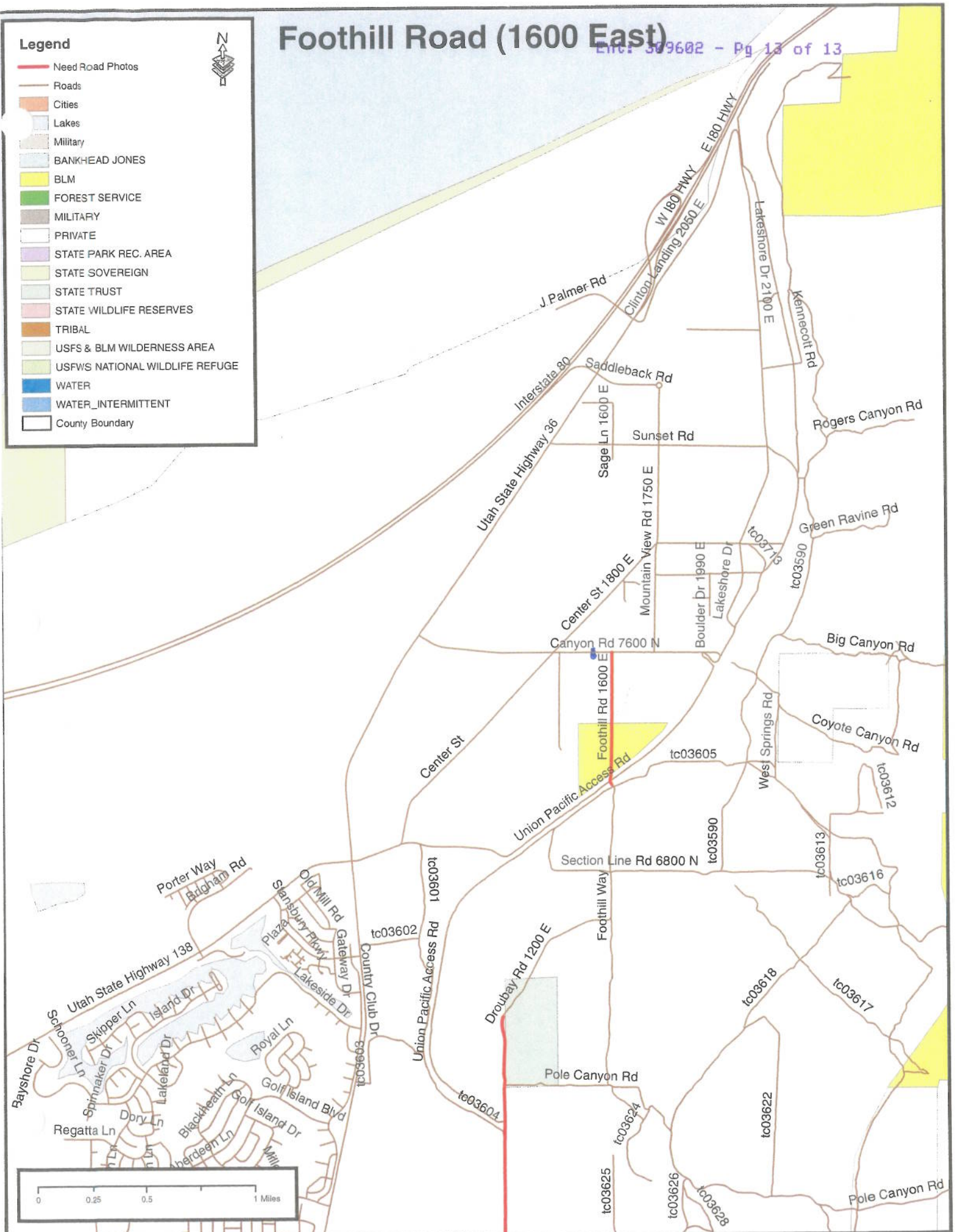

NOTARY PUBLIC

Foothill Road (1600 East)

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Legend

- Need Road Photos
- Roads
- Cities
- Lakes
- Military
- BANKHEAD JONES
- BLM
- FOREST SERVICE
- MILITARY
- PRIVATE
- STATE PARK REC. AREA
- STATE SOVEREIGN
- STATE TRUST
- STATE WILDLIFE RESERVES
- TRIBAL
- USFS & BLM WILDERNESS AREA
- USFWS NATIONAL WILDLIFE REFUGE
- WATER
- WATER_INTERMITTENT
- County Boundary



Appendix A to Attachment 4

Popular Name: Foothill Road 1600 E

County: Tooele

County Road Number: tc03711

State Geographic Information Database (SGID) Road Identification Number: RD230115.

Road-Segment Number: 002

Road-Segment Length: 0.08 miles more or less.

Believed owner of the land underlying this road-segment is: Bureau of Land Management.

The following description is based upon the geographic coordinate system using the NAD83 Datum. The source is GPS mapping grade data as indicated in the metadata and/or the transportation data model of the State of Utah Geographic Information Database (SGID).

The road-segment itself is the monument that is identified by its physical presence on the land. The location of said physical presence is closely approximated by mapping grade Global Positioning System (GPS) data. Said data are checked against the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS) to verify a reasonable degree of accuracy. In circumstances where accurate satellite signal acquisition is not possible, such as deep, narrow canyons or under a canopy of dense foliage, or where very sharp curves in the road make accuracy questionable, such portions of the road were digitized from the corresponding gray-scale 1-meter Digital Orthophoto Quadrangles published by the United States Geological Survey (USGS).

This road-segment may traverse:

Township 2 South Range 4 West, Section(s) 11, Salt Lake Base & Meridian

The following description closely approximates the location of the centerline of the physical monument (Foothill Road 1600 E)-- Segment 002 based on mapping grade Global Positioning System (GPS) data as defined above:

Beginning at a point on the road center line located at 40 degrees 39 minutes 31.83 seconds North Latitude and -112 degrees 16 minutes 00.79 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,427,645.1 feet and Y = 7,409,642.5 feet; thence the following courses along the said road center line:

thence North 09 Degrees 47 Minutes 25 Seconds East	1.9 feet
thence North 09 Degrees 01 Minutes 07 Seconds East	28.3 feet
thence North 08 Degrees 38 Minutes 18 Seconds East	31.6 feet
thence North 03 Degrees 40 Minutes 11 Seconds East	32.9 feet
thence North 04 Degrees 33 Minutes 53 Seconds East	34.6 feet
thence North 03 Degrees 40 Minutes 11 Seconds East	32.9 feet
thence North 04 Degrees 20 Minutes 35 Seconds East	36.2 feet
thence North 00 Degrees 14 Minutes 19 Seconds East	32.8 feet
thence North 00 Degrees 16 Minutes 07 Seconds East	31.2 feet
thence North 00 Degrees 48 Minutes 41 Seconds East	32.8 feet
thence North 04 Degrees 06 Minutes 47 Seconds East	29.6 feet

thence North 01 Degrees 00 Minutes 48 Seconds East 27.9 feet

thence North 00 Degrees 25 Minutes 46 Seconds East 24.6 feet

thence North 00 Degrees 32 Minutes 49 Seconds East 21.3 feet

thence North 00 Degrees 20 Minutes 03 Seconds West 13.6 feet more or less to **the ending**

point at: 40 degrees 39 minutes 35.89 seconds North Latitude and -112 degrees 16 minutes 00.54 seconds West Longitude, which can be converted to mapping accuracy State Plane Utah Central Zone NAD 83 feet coordinates of X = 1,427,667.9 feet and Y = 7,410,053.5 feet.